IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
SUMMARY SUIT NO.1310 OF 1999

Shemaroo Video Ltd. ...Plaintiff.

V/s.

1.UP Ads Pvt. Ltd. ...Defendant.

Mr.Kirit Mehta i/b M/s. Dixit Maneklal & Co.for the Plaintiff.
Mr.T.R.Yadav i/b C.R.Naidu & Co.for the Defendant.

CORAM: A.S.Aguiar, J.
DATE : 5th September, 2005.
P.C.:

1. By an order dated 9th April, 2001, conditional leave to defend was granted to the Defendant by this Court on Defendant's depositing Rs.11,29,238/-within a period of 12 weeks. By the said order, the Defendant was also directed to file Written Statement within 8 weeks thereafter.

2. The Defendant has failed to file his Written Statement nor has he deposited the sum of R.11,29,238/-, or any other amount, as directed by the order dated 9th April, 2001.

3. The learned Advocate for the Defendant states that he has no instructions. Since the Defendant has failed to file Written Statement within aforesaid period

or to deposit the amount of Rs.11,29,238/- as directed by the order dated 9th April, 2001, there will be decree against the said Defendant in favour of the Plaintiff in terms of order VIII Rule 10 of Code of Civil Procedure as prayed.

4. Suit stands disposed of.

5. No order as to costs.

(A.S.AGUIAR,J.)